

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

E. ARMATA, INC.,

Plaintiff,

- against -

ROCKAWAY FARMERS MARKET LLC,
THE CHEF'S TABLE LYNBROOK LLC,
MALLARY C. BENNETT
and STEVE C. DESLANDES,

Defendants.

Case No. 23-cv-4473 (JPO)

**FINAL ORDER
AND JUDGMENT**

THIS MATTER having come before the Court on Plaintiff's application for a Final Order and Judgment; and it appearing that pursuant to the terms of the Stipulation and Order previously filed in this action, this Court is to enter this Final Order and Judgment immediately upon the filing of a declaration by Plaintiff's attorney which states that payment has not been made by Defendants as required by the Stipulation and Order and Defendants have failed to cure the default in payment; and it appearing that Plaintiff's attorney has filed such a declaration and that Defendants have failed to make payment and to cure that default in accordance with the Stipulation and Order; and for good cause shown;

IT IS on this 22nd day of August, 2023,

ORDERED, ADJUDGED, AND DECREED that plaintiff E. Armata, Inc. is a qualified trust creditor and beneficiary under the provisions of the Perishable Agricultural Commodities Act, 7 U.S.C. § 499a *et seq.* ("PACA"), of defendants Rockaway Farmers Market LLC, The Chef's Table Lynbrook LLC, Mallary C. Bennett and Steve C. Deslandes, jointly and severally, for a debt in the principal amount of \$25,251.50, plus interest at the rate of 18% *per annum* in the amount of \$2,549.00 and reasonable attorneys' fees in the amount of \$5,408.53, for a total judgment amount

of \$33,209.03 under the trust provisions of the PACA; and it is further

ORDERED that Defendants shall, within five business days of service of this Order, turnover any and all funds realized from the sale of produce or products derived from produce in his possession to McCarron & Diess, attorneys for Plaintiff, located at 200 Broadhollow Road, Suite 207, Melville, New York, 11747 (“Plaintiff’s Counsel”), for distribution to Plaintiff; and it is further

ORDERED that any and all funds belonging to Defendants, in the possession of third parties, shall be immediately turned over to Plaintiff’s Counsel, for distribution to Plaintiff; and it is further

ORDERED that any and all funds owed to Defendants shall be paid directly to Plaintiff’s Counsel, when due for distribution to Plaintiff; and it is further

ORDERED that Defendants shall supply to Plaintiff’s Counsel, within five days of the date of this Order, any and all documents in their possession, custody or control which reflect or relate to Defendants’ assets and liabilities, including, but not limited to, the most recent balance sheets, profit/loss statements, accounts receivable reports, accounts payable reports, accounts paid records, bank account statements and income tax returns.

ENTERED this 22nd day of August, 2023.



J. PAUL OETKEN
United States District Judge